

## EXHIBIT "D"



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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

JANE DOE, a minor, by and through  
Her mother and next friend, MOTHER DOE,

Plaintiff,

vs. Case No: 1:23-cv-23004

ACADEMIR CHARTER SCHOOLS, INC.  
And SUPERIOR CHARTER SCHOOL  
SERVICES, INC.,

## Defendants.

VOLUME I  
VIDEOCONFERENCE  
DEPOSITION OF:

DATE: MONDAY, AUGUST 26, 2024

TIME: 4:28 P.M. - 5:14 P.M.

PLACE: MIAMI, FLORIDA 33131

STENOGRAPHICALLY  
REPORTED BY: AMBER PORTELLO

1 A P P E A R A N C E S:

2 KYLE MACDONALD, ESQUIRE  
3 OF: Derek Smith Law Group, PLLC  
520 Brickell Key Drive  
Suite O-301  
4 Miami, FL 33131-2433  
Office: 786-568-8120  
5 Kyle@dereksmithlaw.com  
APPEARING ON BEHALF OF THE PLAINTIFF  
6 (Via Videoconference)

7 JULIE KARRON, ESQUIRE  
TAYLOR WHITE, ESQUIRE  
8 OF: Kelley Kronenberg  
10360 West State Road 84  
9 Fort Lauderdale, FL 33324-4236  
Office: 954-370-9970  
10 Jkarron@kelleykronenberg.com  
Twhite@kklaw.com  
11 APPEARING ON BEHALF OF THE DEFENDANT ACADEMIR  
12 (Via Videoconference)

13 JULIE MARHEFKA, ESQUIRE  
OF: Garrison, Yount, Forte & Mulcahy, L.L.C.  
601 Bayshore Boulevard  
14 Suite 800  
Tampa, FL 33606-2760  
15 Office: 813-515-0322  
Jmarhefka@garrisonyount.com  
16 APPEARING ON BEHALF OF DEFENDANT SUPERIOR  
17 (Via Videoconference)

18 ALSO PRESENT:  
19 Carmen Quintana, Interpreter  
[REDACTED]

1	I N D E X	
2	TESTIMONY OF [REDACTED]	
3	DIRECT EXAMINATION BY MS. KARRON	4
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6		

7	INDEX OF EXHIBITS
8	(NONE MARKED.)
9	

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12	-----
13	S T I P U L A T I O N S

14	It is hereby stipulated and agreed by and between
15	the counsel for the respective parties and the deponent
16	that the reading and signing of the deposition
17	transcript be waived.
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## PROCEDING S

\* \* \* \* \*

COURT REPORTER: Would you raise your right hand, please.

Do you solemnly swear or affirm to translate Spanish to English and English to Spanish?

THE INTERPRETER: I do.

COURT REPORTER: Would you raise your right hand, please?

Do you solemnly swear or affirm that the testimony you're about to give in this cause is the truth, the whole truth and nothing but the truth?

THE WITNESS: Yes.

## THEREUPON

was called as a witness and, having first been duly sworn, testified as follows:

**DIRECT EXAMINATION**

BY MS. KARRON:

Q. Please state your full name for the record.

A. [REDACTED]

Q. Have you ever been known by any other names?

A. Yes. Before the citizenship, I was previously known by my full name which was including my second last name which was [REDACTED]

1 Q. When were you born?

2 A. April 15th of 1989.

3 Q. And when did you become a U.S. citizen?

4 A. It was around 2018. Approximately June of  
5 2018.

6 Q. Have you ever been convicted of a crime?

7 A. No.

8 Q. Did you ever report any issues to the school  
9 before the sexual incident that we're here about today?

10 MR. MACDONALD: Objection, form.

11 THE WITNESS: No.

12 BY MS. KARRON:

13 Q. Did you have -- did your daughter ever report  
14 that there was any inappropriate conduct at the school  
15 before she told you about this incident?

16 A. She told me that a boy by the name of L.R. had  
17 already told her some ugly things to her, something  
18 similar to bullying. Something like he was the boss,  
19 and I -- what I told her was that if him or any other  
20 classmates treat her that way that she should run away,  
21 report it over to an adult. If anything like that were  
22 to happen, that she should go ahead and report it to an  
23 adult.

24 Q. Did you ever make a report to the school about  
25 your daughter being bullied or anything with L.R. before

1 this sexual incident?

2 A. No, because I thought that the only thing that  
3 was going on was just something minor. I think that it  
4 was simply something simple going on in between kids. I  
5 didn't think that it was something serious like this is.  
6 So after something serious like this happened, I  
7 immediately requested a meeting.

8 Q. When is the first time that you learned about  
9 the alleged sexual incident?

10 A. The first time that she told me was on that  
11 Friday the 20th. Actually, right after I picked her up  
12 from school when she got in the car she told me, Mom, we  
13 have to talk about something that happened to me. I'm  
14 sorry, it was not in the car. It was in the -- it was  
15 not in the car. It was in the reception area. There is  
16 a camera there, and I imagine that that was reported  
17 when she told me, Mom, I have to tell you about  
18 something that happened to me at school. And I told  
19 her -- I told her that we would talk about it once we  
20 got home because there were other kids that were there  
21 and you can see that recording how she is telling me,  
22 Mom, I have to tell you about what happened to me. And  
23 I just tell her that we can talk about it once we get  
24 home.

25 Q. And did you end up talking about it with her

1 once you got home?

2       A. In reality, that was the first time that I  
3 actually spoke with her about it, and she told me,  
4 Mom -- once we were already at home, she told me, Mom, I  
5 need to tell you about what happened to me at school. I  
6 need to tell you about what a boy, L.R., did to me at  
7 school. And that's when she told me in her own words  
8 that that boy had licked -- as she said it, that that boy  
9 had licked her tits and her butt, and that that boy  
10 had kissed her on the mouth.

11           I asked her, What do you mean by licking  
12 because I didn't know the meaning of that word. So she  
13 signaled to me like this. She signaled to me what he  
14 did to her. He signaled to her parts, and she touched  
15 the parts of her body. She touched her intimate area,  
16 and she told me that he kissed her in the mouth.

17           I had gotten a call from school. In that call  
18 from the school, they told me that it was only verbal.  
19 So I asked her, [REDACTED], is that what happened? Did he  
20 really do that to you? And she said -- and she  
21 signaled -- as she could, she signaled using her tongue  
22 and her hands. She told me what had happened to her,  
23 and she did tell me that she did that from underneath  
24 her underwear. She did tell me that he did it under her  
25 underwear.

1 Q. Did she tell you -- strike that.

2 Was your understanding that it had happened  
3 that day, and that's why she was reporting it to you?

4 A. She didn't say that, per se. She didn't  
5 exactly say it was on this day, on this exact day. What  
6 she told me is this is what happened to me which I  
7 hadn't understood at first because when I had first  
8 gotten the call I was told that it had happened in the  
9 classroom and that she had run over to the PE teacher.  
10 That she ran over to the PE teacher outside, and she  
11 said that it occurred from underneath the table.

12 For a five-year-old girl she was very clear in  
13 explaining to me what had happened to her as she could  
14 using her hands, using her little hands, signaling with  
15 her mouth. She very smartly was able to tell me what  
16 had happened to her, and this was very hard for me  
17 hearing it from the school. And then asking her and her  
18 telling me, yes, this happened. Yes, this happened.

19 Q. Was there a time you made a video of your  
20 daughter when you were interviewing her?

21 A. Although I was going to tell you how everything  
22 happened because I do remember every single moment of  
23 this, this is something that I wouldn't be able to  
24 forget. Now, after that Friday, after we arrived home  
25 from school, she told me all of this. And then after

1 that was when I messaged the professor. I messaged her  
2 teacher asking if we could have a meeting to talk about  
3 what happened to my daughter because my daughter was  
4 telling me that something physical had occurred to her  
5 when they had told me that it was only verbal. So I  
6 messaged her, and that Monday, it was a day that they  
7 had off. So we couldn't meet on that day, but we agreed  
8 on meeting on Tuesday early at 8:00.

9               Okay. On Tuesday when she answered and got  
10 back to me, it was something in the morning, and we met  
11 at 8:00 in the morning. The ones that met there were  
12 myself, her father, and the principal's assistant, and  
13 Ms. Chaudry. Up until then all of her communication had  
14 always been in Spanish, however, that meeting was held  
15 in English.

16               What I asked of them was if they could look  
17 into it further, if they could investigate it a little  
18 bit further, because my daughter had told me that it was  
19 physical, not verbal, as they had told me. I know for a  
20 fact that I have great communication with my daughter.  
21 My daughter tells me everything. I don't even have to  
22 ask her. She is very talkative, and she shares  
23 everything with me because they had told me that it was  
24 just something verbal and not physical. I asked if we  
25 could look into the cameras, and if they could go ahead

1 and separate the children.

2 So as I told them that I wanted them to  
3 separate the children because I trust [REDACTED], I trust in  
4 what [REDACTED] told me, at that point it went -- both  
5 Ms. Chaudry and also the principal's assistant told me  
6 that it wasn't convenient in the middle of the school  
7 year for them to separate the children at that time, and  
8 then they began telling me that at that age it was  
9 normal for children to begin exploring each other's  
10 bodies as if it was something normal.

11 They told me that it was normal for the  
12 children to be exploring each other 's bodies. Then  
13 they also told me that in 24 hours they would check in  
14 on the reporting, and then they would give me a response  
15 on what had occurred. I was completely positive. I was  
16 completely sure that [REDACTED] told me the truth, and I  
17 trust in her. It's very difficult for a five-year-old  
18 little girl to go through something like that where she  
19 is supposed to be supervised and supposed to be taken  
20 care of properly.

21 I also asked for them not to speak with her  
22 about the subject because myself, ever since that  
23 conversation on Friday, hadn't brought up that subject  
24 again since then. So this whole meeting was at 8:00 in  
25 the morning, and then I'll tell you now about Ms. Ruiz.

1 MS. KARRON: I'm going to move to strike as  
2 nonresponsive.

3 BY MS. KARRON:

4 Q. All I asked was when you made the video? I'm  
5 going to need you to listen to my questions and only  
6 answer my questions because if we're going to be able to  
7 finish this at any time today, it's never going to  
8 happen if we go on and on. I understand you want to get  
9 the story out, and I want to hear it too, but just try  
10 to answer the question that I'm asking. There is no  
11 question. I didn't ask a question. So my question --

12 THE INTERPRETER: Counsel, I'm sorry, but I was  
13 going to get to that.

14 MS. KARRON: No problem.

15 BY MS. KARRON:

16 Q. Could you just tell me when you made the video  
17 of your daughter?

18 A. So that afternoon the counselor spoke with my  
19 daughter despite the fact that I had asked her not to  
20 speak with my daughter about that subject again, so that  
21 evening when she got home that's when I conducted the  
22 conversation with her. That's when I made that  
23 recording. I made that recording so that we wouldn't  
24 have to speak about that subject ever again. I figured  
25 if I could record it that would be the one, and that

1 would be the last time we ever talked about that subject  
2 again. So I asked █ if we could talk about it, and  
3 she told me, No, mom I really don't want to talk about  
4 the subject. I have been talking about the subject all  
5 day long with someone at school. I have been talking to  
6 them all day about what happened with the boy L.R.

7 MS. KARRON: Again, move to strike as  
8 nonresponsive.

9 BY MS. KARRON:

10 Q. My only question was when did you do the video?  
11 When I ask you a question, I just need you to answer  
12 what I'm asking and not give the narrative responses  
13 because it is making difficult for me to get the  
14 questions in in the small amount of time that your  
15 attorney is allowing.

16 A. The recording is there, and you should have  
17 seen it.

18 Q. Where was your daughter when you made the  
19 video?

20 A. I believe that it was at home. According to  
21 what I remember, it was over by the play area in the  
22 playground on Tuesday.

23 Q. And did you ever make a video of your daughter  
24 in the bath?

25 A. She didn't know that she was being recorded.

1 It was not a video recording. It was just a recording.  
2 I don't believe that it was in the bath. According to  
3 what I remember, we got out of the car, and it should  
4 have been in the playground.

5 Q. Do you have any video interviews of your  
6 daughter while she's in the bathtub?

7 A. A video recording of my daughter in the bath,  
8 no, of course not. Why would I ever record a video of  
9 my daughter in the bath?

10 Q. You testified that your daughter told you that  
11 [REDACTED] touched her or licked her underneath her  
12 underwear.

13 When did she first tell you that?

14 A. She told me that ever since the first day she  
15 told me that. I think that it was while she was in --  
16 while she was bathing, and I think I seem to remember  
17 that that was after she got home from school. I don't  
18 remember the exact moment.

19 Q. In the interview you recorded with your  
20 daughter, did she say anything about it occurring  
21 underneath her underwear?

22 A. I don't remember, but I think she told me that  
23 on Friday when she got home.

24 Q. And I have not seen anything anywhere about  
25 under the underwear.

1                   Are you aware of if your daughter said that to  
2 anyone other than you?

3           A. Yes. She told that exact same story to the  
4 forensic psychiatrist.

5           Q. That it happened underneath her underwear?

6           A. Yes.

7           Q. Did your daughter ever tell you whether her  
8 pants or underwear were removed at any time?

9           A. She didn't tell me to what point it was taken  
10 off, but she did tell me that it occurred from  
11 underneath her underwear.

12          Q. And you believe that based on your -- strike  
13 that.

14               Your interview with your daughter, she  
15 discussed that it happened in the classroom under the  
16 table, is that what you recall?

17          A. She told me that once it had occurred  
18 underneath the table. She also told me that it occurred  
19 on another occasion while they were outside, and that's  
20 when she ran over to the PE teacher. I really don't  
21 know how many times this had occurred, but I do remember  
22 this clearly.

23          Q. And the first thing you heard of these  
24 allegations was starting January 20th?

25          A. Yes, the first time was in January 20th.

1 Q. And when did you first report it to the school?

2 A. Through that text message that I sent to  
3 Ms. Chaudry. I wrote that all down in text message  
4 form, but I also requested to have a meeting, a school  
5 meeting, on Tuesday as soon as the school opened up.  
6 Now, they weren't the ones who offered me that meeting  
7 themselves. I was the one who had to request to have  
8 that meeting on Tuesday that first hour of school.

9 Q. Did you ever make a written, signed complaint  
10 of sexual harassment to the school?

11 A. I thought that on that day when that meeting  
12 was held, I thought that that was being recorded. I  
13 really believed that because I remember that Ms. Chaudry  
14 herself told me, Sign here and sign here to attest that  
15 this meeting was held. So I thought they had that  
16 report.

17 Q. Did you ever fill out a form and make a written  
18 report alleging sexual harassment that you signed and  
19 gave to the school?

20 A. I didn't even know that there was a form that  
21 could be filled out for this. I didn't even know of the  
22 existence of a form for this, and no one told me about  
23 it during the meeting.

24 Q. Have you received any specialized training in  
25 how to interview children that have been sexually

1 abused?

2 A. No.

3 Q. And are you aware that asking a child leading  
4 questions that suggest the answer can impact their  
5 memory?

6 MR. MACDONALD: Objection, form.

7 THE WITNESS: I haven't suggested anything to  
8 her. On Friday she was the one that wanted to tell  
9 me about it herself, and on Tuesday the reason why I  
10 made that recording was so that we could speak about  
11 it on that one time and we wouldn't have to speak  
12 about it ever again. I did not influence her in any  
13 way, and I didn't want to continue speaking about  
14 the subject. I was even surprised when that lady  
15 continued talking with her about it with her when  
16 she told me about it later. The only thing I want  
17 for her is to forget about this.

18 MS. KARRON: I'm going to move to strike as  
19 nonresponsive.

20 BY MS. KARRON:

21 Q. And I'm going to ask that you try to focus on  
22 the questions, and I ask that you try to focus on the  
23 questions I ask of you and not throw in all of your  
24 opinions just so we can get this done.

25 So is it fair to say that during your one

1 interview that you wanted to have with your daughter  
2 that you recorded the entire content of it?

3 A. No. So when she arrived, she told me that she  
4 had spent all day long speaking with someone else about  
5 what had occurred with L.R. I myself didn't want to  
6 speak about the subject. To this day I don't want to  
7 speak about the subject.

8 MS. KARRON: Okay. Move to strike as  
9 nonresponsive. Court Reporter, can you read back my  
10 question, please?

11 (The previous question was read back.)

12 THE WITNESS: The recording of that, that  
13 was -- that was what I recorded when she got out of  
14 the car. She began talking about it herself without  
15 me asking about it.

16 BY MS. KARRON:

17 Q. In the recording that you made of your daughter  
18 or at any other time, did you ever ask your daughter how  
19 it was that her pants were down during school?

20 A. I don't remember.

21 Q. You don't think it was important to ask your  
22 daughter questions to find out if this actually happened  
23 and to what extent it occurred?

24 MR. MACDONALD: Objection, form.

25 THE WITNESS: She told me about everything that

1 had occurred herself. Once I asked her, Are you  
2 sure that it was physical and not just verbal, and  
3 she began speaking about all of it by herself. Now,  
4 me and my experience, I have tried to speak about it  
5 as little as possible because I would just like for  
6 this to be forgotten.

7 BY MS. KARRON:

8 Q. So you never asked her where it happened or  
9 when it happened?

10 MR. MACDONALD: Objection, form.

11 THE WITNESS: She told me -- she told me that  
12 it was while in class. She didn't tell me the exact  
13 moment. She didn't tell me the exact hour, but what  
14 she did tell me is that, yes, that it was in class.  
15 That it occurred once underneath the table and  
16 another time outside.

17 BY MS. KARRON:

18 Q. If you believed that your daughter's private  
19 parts had been licked, why didn't you report that to the  
20 police?

21 A. We did. We did that on Tuesday. We did that  
22 on Tuesday. We reported it to the school, and we also  
23 reported it to DCF thinking that DCF already had a  
24 report. We did as much as we possibly could.

25 Q. When did you make the report to DCF?

1       A. At that time I remembered that I didn't even  
2 know that a report had to be filed with DCF. I actually  
3 thought that the school itself had already filed that  
4 report with DCF. As the days went by and I saw that  
5 there was no response and that also after we went  
6 through Rolando Mir leaving us hanging, by the next week  
7 was when I saw that nothing was getting done. That's  
8 when I reported it over to DCF because we did want to  
9 work things through. We wanted her to stay at that  
10 school because her cousins were there, her little  
11 friends were there that she had met since her first day  
12 there. So after that already by the next week was when  
13 I called DCF.

14           MS. KARRON: And I move to strike that as  
15 nonresponsive. My only question was when was the  
16 report made to DCF? And I just realized what time  
17 it is. I can't get a straight answer out of your  
18 client when I'm asking questions, and there is no  
19 way for us to finish today. So I think we're going  
20 to have to stop and reschedule the deposition for a  
21 later date. It's already 5:10.

22           MR. MACDONALD: So in terms of her answers, I  
23 believe she said a couple days went by when she  
24 reported it to DCF.

25           MS. KARRON: I don't need you to testify about

1 it --

2 MR. MACDONALD: I think what you're trying to  
3 do is because you have to go at 5:00 p.m., you're  
4 trying to act like she's being nonresponsive.

5 MS. KARRON: I'm not trying to act like  
6 anything, Kyle. Every single one of her answers  
7 have been nonresponsive as based on my objection.  
8 Go back and look at the transcript. Everything I  
9 asked I get a runon sentence without an answer. So  
10 at this time, I'm going to stop asking questions,  
11 and we'll take it up with the court.

12 MR. MACDONALD: So you're stopping the  
13 deposition because of how she is answering?

14 MS. KARRON: I'm stopping the deposition  
15 because as I told you had to leave at 5:00. I  
16 didn't realize it was past 5:00, and it's impossible  
17 to get the answers in a timely manner. There is no  
18 way.

19 MR. MACDONALD: Well, okay. Like I said to  
20 you, they don't have availability before the end of  
21 the discovery period.

22 MS. KARRON: We're going off the record. I'm  
23 done asking questions. Thanks. I mean, I can't  
24 continue to ask questions. I'm going to conclude it  
25 to a later date.

1 MS. MARHEFKA: Superior will order both  
2 transcripts.

3 (The deposition was continued at 5:14 p.m.)

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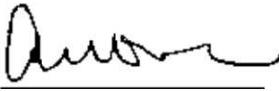
1 CERTIFICATE OF OATH  
2

3 STATE OF FLORIDA:

4 COUNTY OF ORANGE:

5  
6 I, AMBER PORTELLO, Notary Public, State of Florida,  
7 do hereby certify that CARMEN QUINTANA, INTERPRETER, and  
8 [REDACTED], Witness, personally appeared before me on  
9 August 26, 2024, and was duly sworn and produced a  
10 Florida driver's license as identification.

11 Signed this 3rd day of September, 2024.  
12  
13  
14

15   
16 \_\_\_\_\_  
17 AMBER PORTELLO

18 Notary Public, State of Florida  
My Commission No.: HH124775  
Expires: MAY 4, 2025  
19  
20  
21  
22  
23  
24  
25

1

CERTIFICATE OF REPORTER

2 STATE OF FLORIDA:

3 COUNTY OF ORANGE:

4

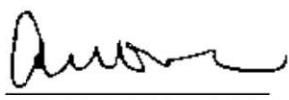
5 I, AMBER PORTELLO, Notary Public, State of Florida,  
6 certify that I was authorized to and did  
7 stenographically report the deposition of [REDACTED];  
8 that a review of the transcript was requested; and that  
9 the foregoing transcript, pages 4 through 21, is a true  
10 and accurate record of my stenographic notes.

11 I further certify that I am not a relative,  
12 employee, or attorney, or counsel of any of the parties,  
13 nor am I a relative or employee of any of the parties'  
14 attorneys or counsel connected with the action, nor am I  
15 financially interested in the action.

16

17 DATED this 3rd day of September, 2024.

18

19   
20 \_\_\_\_\_  
21 AMBER PORTELLO

22

23

24

25



**ESQUIRE**  
DEPOSITION SOLUTIONS

800.211.DEPo (3376)  
*EsquireSolutions.com*

1                   UNITED STATES DISTRICT COURT  
2                   SOUTHERN DISTRICT OF FLORIDA

3                   JANE DOE, a minor, by and  
4                   through her mother and next  
5                   friend, MOTHER DOE,

6                   Plaintiff,

7                   v.                   CASE NO.: 1:23-cv-23004

8                   ACADEMIR CHARTER SCHOOLS, INC.,  
9                   and SUPERIOR CHARTER SCHOOL  
10                  SERVICES, INC.,

11                  Defendants.

12                  \*\*\*\*\*

13                  REMOTE

14                  DEPOSITION OF: [REDACTED]  
15                  (continuation)

16                  DATE TAKEN:         AUGUST 28, 2024

17                  TIME:                 COMMENCED AT 3:03 P.M.  
18                  CONCLUDED AT 6:18 P.M.

19                  PLACE:              VIA VIDEOCONFERENCE

20                  STENOGRAPHICALLY  
21                  REPORTED BY:         CHRISTIE SAMMARO, RMR, CRR  
22                  COURT REPORTER AND NOTARY PUBLIC

23                  \*\*\*\*\*

24

25

ESQUIRE DEPOSITION SOLUTIONS  
432 SOUTH BEACH STREET  
DAYTONA BEACH, FLORIDA 32114  
386-255-2150

1 APPEARANCES:

2  
3 KYLE T. MACDONALD, ESQUIRE  
4 Derek Smith Law Group, PLLC  
5 520 Brickell Key Drive, Suite O-301  
6 Miami, Florida 33131  
7 (786)568-8120  
8 kyle@dereksmithlaw.com

9  
10 Attorney for Plaintiff

11 SCOTT P. YOUNT, ESQUIRE  
12 JULIE C. MARHEFKA, ESQUIRE  
13 Garrison, Young, Forte & Mulcahy, L.L.C.  
14 601 Bayshore Boulevard, Suite 800  
15 Tampa, Florida 33606  
16 (813)275-0404  
17 syount@garrisonyount.com  
jmarhefka@garrisonyount.com

18 Attorneys for Superior Charter School  
19 Services, Inc.

20 JULIE B. KARRON, ESQUIRE  
21 TAYLOR A. WHITE, ESQUIRE  
22 Kelley Kronenberg  
23 10360 West State Road 84  
24 Fort Lauderdale, Florida 33324-4236  
25 (954)370-9970  
jkarron@kelleykronenberg.com

26 Attorneys for Academir Charter Schools, Inc.

27 ALSO PRESENT:

28 Carmen Quintana, interpreter  
29 Cassandra Cisneros  
30 Jenny Llorens

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STIPULATIONS

It is hereby agreed and so stipulated by and  
between the parties hereto, through their respective  
counsel, that the reading and signing of the  
transcript are expressly reserved by the Deponent.

1 PROCEEDINGS

2 THEREUPON,

3 COURT REPORTER: Raise your right hand,  
4 please. Do you swear you will well and truly  
5 translate from English to Spanish and Spanish to  
6 English the questions propounded and the answers  
7 given, so help you God?

8 INTERPRETER: I do.

9 CARMEN QUINTANA was duly sworn to well and  
10 truly translate from English to Spanish, and from  
11 Spanish to English, the questions propounded and the  
12 answers given in this cause.

13 COURT REPORTER: Raise your right hand,  
14 please. Do you swear or affirm the testimony  
15 you're about to give will be the truth, so help you  
16 God?

17 THE WITNESS: Yes.

18 [REDACTED]  
19 having been first duly sworn, was examined  
20 and testified upon her oath as follows:

21 DIRECT EXAMINATION

22 BY MS. KARRON:

23 Q Please state your full name for the record.

24 A [REDACTED]

25 Q And where were you born, [REDACTED]

1 A In Cuba.

2 Q When did you come to the United States?

3 A In 2012.

4 Q Have you -- and I'm not sure if I asked you  
5 this before. Have you ever been convicted of a crime?

6 A No.

7 Q Aside from the case we're here for today, have  
8 you ever sued anyone or been sued?

9 A No.

10 Q And I'm just going to go through some  
11 questions to get back -- caught up to where we left off  
12 on our last deposition.

13 During the time that your daughter was  
14 enrolled at Academir, are you aware of what supervision  
15 or safety measures Academir had in place during school  
16 hours?

17 A Yes.

18 Q Okay. And what measures were those?

19 A According to my understanding, they had  
20 cameras in each of the rooms. According to my  
21 understanding, they also had cameras outside. And there  
22 was always someone around. According to what I know,  
23 they always had to have a teacher present.

24 Q And do you have any evidence that those  
25 procedures that you just described were ever violated?

1 MR. MACDONALD: Objection, form.

2 A Well, in reality, I don't really know whether  
3 they did have a camera outside because they didn't show  
4 it to me.

5 BY MS. KARRON:

6 Q Okay. Do you know what policies or procedures  
7 the school has in place regarding students interacting  
8 with one another?

9 A No.

10 Q Had you ever made -- you, or anyone on behalf  
11 of your daughter, made a complaint to the school for any  
12 reason other than the case that we're here about today?

13 MR. MACDONALD: Objection, form.

14 A With this exception, no.

15 BY MS. KARRON:

16 Q Did you ever tell Mr. Mir that you know that  
17 him and his wife are good people?

18 A I don't remember, but according to my  
19 understanding, I -- from what I had understood, I  
20 thought that they were both good principals.

21 Q Prior to the reports that you made to the  
22 school about the incident that we're here about, did the  
23 school have any knowledge -- strike that.

24 Did you ever report any issues with L.R. prior  
25 to the incident that we're here about today?

1 A No.

2 Q You mentioned something in our last deposition  
3 about bullying.

4 Is it your opinion that your daughter was  
5 bullied by L.R.?

6 A According to what my daughter told me, she had  
7 had some issues, things that happened with kids while  
8 they were in class. Now, but these things were nothing  
9 serious like this. They were just like minor things  
10 that go on in between kids. And what I told her was  
11 that if anything happened, to just go ahead and tell a  
12 teacher.

13 Q Prior to the incident that we're here about  
14 today, did Jane Doe ever report any incidents of  
15 inappropriate behavior that happened at school?

16 MR. MACDONALD: Objection, form.

17 A Not something serious like this.

18 BY MS. KARRON:

19 Q And before this incident, did your daughter  
20 ever report feeling unsafe at the school?

21 A No.

22 Q Did your daughter ever tell you that she was  
23 left unattended at any time at school, meaning that an  
24 adult wasn't present?

25 A I asked her -- in one of the portions of what

1 she told me, I asked her, and she signaled to me. I  
2 asked her was there any adult present, watching, and she  
3 said no, not at that moment.

4 Q Okay. And what time frame was she referring  
5 to?

6 MR. MACDONALD: Objection, form.

7 A She's a girl. I don't know to what time frame  
8 she was referring to.

9 BY MS. KARRON:

10 Q Was she referring to the incident that we're  
11 here about today that we'll refer to as the sexual  
12 incident?

13 A I imagine. I imagine. I believe that she was  
14 referring to this incident.

15 Q And referring to this incident, she also told  
16 you that it occurred in the classroom; is that right?

17 MR. MACDONALD: Objection, form.

18 A Within the things that she told me, she told  
19 me that it was in class. She spoke about chairs and  
20 also a table, and she also said that it occurred  
21 outside. That's what she told me.

22 BY MS. KARRON:

23 Q Did you ever, at any time, report to anyone at  
24 Academir that your daughter asserted that the incident  
25 occurred outside in addition to the classroom?

1           MR. MACDONALD: Objection, form.

2       A   When we -- when we had the meeting, I did want  
3 to know why it was that the PE teacher was not  
4 present -- was not present when -- she was not outside,  
5 because she had to run all the way to her in order to  
6 let her know about it.

7 BY MS. KARRON:

8       Q   Did you ever report to Academir that your  
9 daughter was asserting that she was touched while she  
10 was outside the classroom?

11      MR. MACDONALD: Objection, form.

12      MS. KARRON: What's wrong with the form?

13      MR. MACDONALD: It's misleading, the way that  
14 it's phrased. Did she ever report that her  
15 daughter asserted that it -- I mean, it doesn't  
16 matter, we don't have to argue about it, but ...

17 BY MS. KARRON:

18       Q   You can answer.

19       A   I told them to check the cameras because my  
20 daughter told me what had happened to her. So I asked  
21 them to check the cameras because I trusted in what my  
22 daughter told me.

23       Q   And tell me again what your daughter told you  
24 happened to her.

25       A   My daughter, ever since the first instance

1 when I picked her up from school, she told me I have to  
2 speak to you about something. I told her that we would  
3 speak about it once we got home.

4       Once we were already at home, she told me what  
5 that boy had done to her. She signaled, using gestures  
6 and pointing to her body parts and using her tongue to  
7 signal what he had done to her, and she told me how this  
8 happened in school. She told me that it wasn't just  
9 verbal, and that that boy did do that to her. She  
10 signaled it, using gestures, and she told me that he did  
11 that.

12      Q   Did you ask for -- your daughter for details  
13 to find out what she was stating was done to her, other  
14 than hearing her and seeing her gesture?

15      A   Yes, I asked her small questions, but at that  
16 time she just spoke about it herself the most.

17       Now, the second time when I recorded her  
18 was -- she didn't realize that I was recording her at  
19 the time. That time I did ask her direct questions, but  
20 she was upset at the time and didn't want to talk about  
21 it because it seemed like that she had already been  
22 talking about it all day long at school.

23      Q   Did your daughter ever tell you that her pants  
24 were pulled down or removed at any time during the  
25 sexual incident?

1 A She told me that that was done from underneath  
2 her clothes.

3 Q And did she indicate that her clothes were  
4 removed or pulled down in any way?

5 A She told me that it was done to her underneath  
6 her clothing. I suppose that they had to take them off.  
7 She told me that they pulled up her shirt and did that  
8 to her on her breasts, underneath her clothing.

9 Q Did your daughter wear jeans to Academir on  
10 Fridays when she went there?

11 MR. MACDONALD: Objection, form.

12 A On Fridays they can wear civil clothes. They  
13 can wear civil clothes.

14 BY MS. KARRON:

15 Q Did your daughter wear jeans on Fridays at  
16 Academir?

17 MR. MACDONALD: Objection, form.

18 MS. KARRON: What's wrong with the form?

19 MR. MACDONALD: You're asking if she wears  
20 jeans on Friday. You're not specifying if you're  
21 asking about a specific Friday or typically. It's  
22 an ambiguous question.

23 BY MS. KARRON:

24 Q Okay. You can answer.

25 A On Fridays they don't wear their uniform, so I

1 don't quite remember. But I believe that on Friday she  
2 was not wearing her uniform, so she -- on Friday, I  
3 believe she was not wearing her uniform.

4 Q If the school stated that your daughter was  
5 wearing jeans on Friday, January 20th of 2023, the date  
6 of the alleged incident, do you have any reason to  
7 dispute that?

8 MR. MACDONALD: Objection, form.

9 A Well, it's just that on Fridays they always  
10 wore civilian clothing, so, yes, she might have been  
11 wearing either jeans or leggings, because on Fridays  
12 they wear civilian clothing. And I imagine also that at  
13 school they have cameras for that.

14 BY MS. KARRON:

15 Q Did you ever, at any time, report to anyone at  
16 Academir that your daughter had been touched on more  
17 than one occasion?

18 A I only told them to check the cameras because  
19 she told me that she had been touched. She told me  
20 that, and she still tells me to this day, she  
21 occasionally still mentions it. And I trust her.

22 Q Had you ever, at any time, reported to anyone  
23 at Academir that the behavior by L.R. was a pattern?

24 MR. MACDONALD: Objection, form.

25 A What is a pattern? What would that be?

1 MS. KARRON: Just -- I guess was the  
2 translation an issue, or does she not know what a  
3 pattern is?

4 A Could you please formulate the question again?

5 BY MS. KARRON:

6 Q Let me try. Did you ever, at any time, report  
7 to anyone at Academir that the issues with L.R. had been  
8 happening repeatedly? Or more than once, on different  
9 occasions.

10 A I only told them that my daughter had told me  
11 that it wasn't physical --

12 INTERPRETER: I'm sorry. I'm going to start  
13 over again.

14 A I only told -- I only told them that my  
15 daughter had told me that it was physical, that it was  
16 physical, and that I didn't understand this boy's  
17 behavior, but I didn't want them to be together because  
18 I didn't want him to repeat the same thing.

19 Q What was the last date that your daughter was  
20 enrolled at Academir?

21 A Well, I don't quite remember. I know that I  
22 received the call on Friday afternoon. I know that on  
23 Tuesday, when I reported it. I know that I got her out  
24 of school early on Wednesday. So I think that it might  
25 have been by the next Wednesday because there were no

1 classes on Monday.

2 Q And when you said the next Wednesday, you mean  
3 the Wednesday following January 20th, which was a  
4 Friday?

5 A Yes. It was by the next week, because that  
6 was a long weekend that they had, and I know that it was  
7 on Wednesday. Wednesday was the last day, because I was  
8 still waiting for them to come to an agreement from part  
9 of the school, but they never -- that never happened.

10 Q Okay. So I'll represent to you that the  
11 Wednesday after January 20th was Wednesday, January 25th  
12 of 2023. I just looked at the calendar.

13 Have you ever reviewed the Miami-Dade County  
14 Title IX Policies and Procedures Manual?

15 A I did recently.

16 Q Had you reviewed it at any time prior to  
17 withdrawing your daughter from the school?

18 A No.

19 Q I might have asked you about this in the last  
20 deposition, so if I did, forgive me. But did you, or  
21 anyone on behalf of your daughter, make a formal written  
22 complaint of sexual harassment that you signed and  
23 submitted?

24 INTERPRETER: Counsel, when you say complaint,  
25 are you talking about the legal term?

1 MS. KARRON: No. I'm talking about a written  
2 complaint.

3 MR. MACDONALD: Objection, form.

4 A I didn't know that a formal complaint had to  
5 be done. I only signed for the meeting when they told  
6 me "sign here, sign here" at 8:00 in the morning. But I  
7 didn't know that a form had to be made. I didn't know  
8 that.

9 Q Did anyone at Academir ever offer to move Jane  
10 Doe to a different class?

11 INTERPRETER: I believe my screen froze.

12 Counsel, would you please repeat the question?

13 MS. KARRON: Of course.

14 BY MS. KARRON:

15 Q Did anyone at Academir ever offer to you to  
16 move Jane Doe to a different class?

17 A During the meeting that was held at 8:00 in  
18 the morning, I asked them to please separate them so  
19 they could be in different classes because this had  
20 happened right in front of their own eyes, and there was  
21 no warranty that this wouldn't be happening again. But  
22 Ms. Chaudry and the other person who was there, whose  
23 name I can't remember right now, told me that it was not  
24 convenient to be changed to a different class at this  
25 stage. But I did ask them to do that.

1 Q Could you explain to me what you mean by  
2 convenient? I want to make sure it's not lost in  
3 translation.

4 MR. MACDONALD: Objection, form.

5 A They told me that it wasn't good for the  
6 children to be separated in the middle of the school  
7 year, and they told me that they would investigate it.

8 MR. YOUNT: I object to the responsiveness of  
9 the witness. The question was very simple: Did  
10 they offer to move Jane Doe? And that question was  
11 never answered, and I'm going to ask the witness to  
12 please answer the question.

13 MS. KARRON: And I'll ask it again.

14 BY MS. KARRON:

15 Q Did anyone at Academir offer to move Jane Doe  
16 to a different classroom after the incident was reported  
17 to them?

18 A Not to me.

19 Q Did they offer it to your husband, if you  
20 know?

21 A What my husband told me that they told him was  
22 that if we didn't like the policy, that we could take  
23 her out of the school.

24 Q What do you think that Academir or Superior  
25 could have done differently with regard to the handling

1 of the complaint that you made?

2 A I believe that, as a mother, I would have felt  
3 safer if they had heard what my little girl had told me,  
4 if they had just listened to her saying that it was  
5 something that was physical, but instead, they just kept  
6 denying it again and again, saying that it was just  
7 verbal. Despite the fact that they heard my daughter's  
8 reporting, they kept repeating again and again that it  
9 was just verbal. If they had separated the children and  
10 put them in different classes.

11 But, despite that, I don't think that I would  
12 have still felt as much trust in the safety of the  
13 school. I have trusted in the school because my  
14 daughter had already been there since she was two years  
15 old. My daughter had been there since she was two years  
16 old, and I had placed my trust in them.

17 If -- but they didn't change them to different  
18 classes like I asked them to. They didn't show the  
19 cameras. If they had changed them to different classes,  
20 if they had showed us the cameras, and even -- even if  
21 they had shown the cameras, I would have still liked for  
22 them to change them to a different class, to put them in  
23 different classes, because my daughter told me what had  
24 happened to her, and I trust in her.

25 I think that maybe if they had looked a little

1 bit deeper into the case instead of not paying  
2 importance to it.

3 Q Are you aware that your husband told the  
4 police that you guys did not want your daughter moved to  
5 a different class because she would feel guilty?

6 MR. MACDONALD: Objection, form.

7 A Around those days he did mention something  
8 similar to that. I don't quite remember it, but he did  
9 mention something along those lines. And I remember  
10 that he was very upset and very nervous.

11 BY MS. KARRON:

12 Q Did your husband ever tell you that he went to  
13 the school and yelled and cursed at the vice principal?

14 A He never mentioned something like that, and I  
15 doubt that he ever did that.

16 Q Aside from what your daughter told you, do you  
17 have any evidence that L.R. physically touched your  
18 daughter?

19 MR. MACDONALD: Objection, form.

20 A No, but I trust in what my daughter told me.

21 My daughter always speaks the truth.

22 BY MS. KARRON:

23 Q Do you know whether your daughter told the  
24 truth to the four adults at the school that questioned  
25 her about the incident?

1                   MR. MACDONALD: Objection, form.

2                   A She told me that she did tell them the truth.  
3 She told me that she told them about what that boy had  
4 done to her. She told me that it wasn't verbal; that it  
5 was physical. And she told me that she did tell that to  
6 the adults, and I believe in her.

7 BY MS. KARRON:

8                   Q Were you aware of any efforts that the school  
9 made to address the behavior of L.R. after you made the  
10 report?

11                  A When I requested to have that meeting with  
12 them, when I went over to the school at 8:00 in the  
13 morning, they told me that they had already had a  
14 meeting with the boy's mother, and I don't know about  
15 anything else.

16                  Jane Doe also told me that they had given that  
17 boy a bad color. They -- over at the school they give  
18 the children different colors, depending on their  
19 behavior. Jane Doe had been given a pink one, and I  
20 think -- and that boy had been given a bad color, which  
21 I think is red, but I'm not sure right now.

22                  Q On January 20th of 2023, do you know how many  
23 staff members were at Academir Charter School West  
24 supervising students?

25                  A All over the school? I don't know.

1 Q Are you aware of the training that the  
2 school's employees receive with regard to supervising  
3 children?

4 A I thought that it was good.

5 Q Aside from separating the children, what else  
6 do you believe that Academir should have done in this  
7 case?

8 MR. MACDONALD: Objection, form.

9 A I believe that they should have checked on all  
10 of the cameras. I believe that they should have began  
11 an investigation into the matter.

12 I always gathered, from how they handled all  
13 of this, that they didn't give any importance to this  
14 case. They -- I believe that they should have called  
15 DCF because by the time that I called DCF, I thought  
16 that by then the school had already reported this to  
17 DCF, which wasn't the case.

18 I think that they should have listened to what  
19 my daughter had to say because not only as a student of  
20 that school, but also simply as her value as a human  
21 being, they should have given importance what she had to  
22 say, and also to us as her parents.

23 BY MS. KARRON:

24 Q Do you believe that Academir treated Jane Doe  
25 differently because she was a female?

1 MR. MACDONALD: Objection, form.

2 A I don't know.

3 BY MS. KARRON:

4 Q Do you have any reason to believe that the  
5 school treated the incident differently than they would  
6 have been if it was a boy that reported it?

7 MR. MACDONALD: Objection, form.

8 A I don't know.

9 BY MS. KARRON:

10 Q Do you have any evidence that the school's  
11 handling of the incident was based on the fact that your  
12 daughter is a girl?

13 MR. MACDONALD: Objection, form.

14 A I don't know.

15 BY MS. KARRON:

16 Q Aside from the doctor that was hired by your  
17 attorney, have you taken your doctor [verbatim] to any  
18 doctors or mental health professionals as a result of  
19 this incident?

20 A No, because I don't want her to be reminded of  
21 this all the time. What I want for her is for her to  
22 forget. What I want for her is for her to forget.

23 Q Did you notice any changes in Jane Doe's  
24 behavior after she told you about this incident?

25 A Yes. She had nightmares. She also didn't

1 want to change to a different school. She did complain  
2 about why is it that they're changing me to a different  
3 school. She was sad about it. She did struggle a  
4 little bit with adjusting to the new school. She didn't  
5 want to be changed to the new school, I didn't want to  
6 change her to a new school, and she had to suffer  
7 through the change.

8 Q Did her grades go down as a result of changing  
9 to a different school?

10 A No. She has good grades. By the end of the  
11 course, her grades improved even more.

12 Q By the end of kindergarten?

13 A Yes, by the end of kindergarten. At the  
14 beginning of kindergarten she did have a hard time when  
15 it came to reading. She wasn't the most advantageous  
16 when it came to that. But by the end of kindergarten,  
17 she already felt more comfortable with the new  
18 kindergarten and she began improving in her reading by  
19 the end.

20 MS. KARRON: Okay. Can we just take like a  
21 three-minute break?

22 MR. MACDONALD: Yeah.

23 (Recess was had from 3:51 p.m. to 3:54 p.m.)

24 BY MS. KARRON:

25 Q Aside from the nightmares and not wanting to

1 change schools, are there any other symptoms that Jane  
2 Doe displayed that you believe are related to the  
3 incident?

4 A Yes. She cried quite a lot because of  
5 changing over to a different school. She didn't want to  
6 be changed to a different school. She wanted to  
7 continue at the same school because she wanted to remain  
8 with her friends that she had already known, the friends  
9 that she already had there.

10 And, also, whenever private parts are  
11 mentioned, when they mention that over at school, or  
12 whenever anyone else mentions it, she repeats the same  
13 story. She's also come to the point where she's  
14 mentioned the exact same story to family members, when  
15 she really had no reason to be sharing it with them.

16 She had such a hard time from changing over to  
17 a different school that she even came to tell me what if  
18 L.R. is taken out of that school, then I could go back  
19 there?

20 There's so many things that went on, but she  
21 still remembers L.R.'s name. When we were looking  
22 together at a family photo album, we were looking at the  
23 photos, and there were only two names that she could  
24 remember. She could remember her friend Elisa and she  
25 could remember L.R.'s name, his full name. And when she

1 saw him there, she said, what if that boy leaves the  
2 school, then can I go back to the school again? Because  
3 she wants to be there with her cousins and with the  
4 friends that she had there.

5 This has been very hard for me. It's been  
6 very hard for me because it worries me that this might  
7 have AN impact on her in the future. I -- this has been  
8 very difficult for me because a five-year-old little  
9 girl should have no reason to go through something like  
10 this at a place that should have been supervised.

11 Q You mentioned family photos. Is Jane Doe in  
12 any way related to L.R.?

13 A Jane Doe has photos for each year of her life.  
14 I have photos for each year of Jane Doe's life. I have  
15 photos of -- with family, I have photos from all of her  
16 school courses that she's had, and I have the  
17 kindergarten photos for her. And when we were looking  
18 at those photos from kindergarten, I was left with my  
19 mouth wide open when the only one that she -- that she  
20 signaled with her little finger was just L.R. She  
21 didn't remember any other child's name until I asked  
22 her, Jane Doe, don't you remember any other kids' names?  
23 And the only other one that she could remember was  
24 Elisa's. No one else. But she can't forget that boy's  
25 name.

1 MS. KARRON: Move to strike as nonresponsive.

2 BY MS. KARRON:

3 Q My question was: Is Jane Doe related to L.R.?

4 A No.

5 Q I want to go through some of the allegations  
6 made in the lawsuit that you filed and ask you some  
7 questions about that now.

8 A Okay.

9 Q How did Academir or Superior engage in a  
10 coverup of the alleged sexual assault?

11 MR. MACDONALD: Objection, form.

12 MS. KARRON: It's in your Complaint.

13 A Could you please repeat the question? I'm  
14 sorry.

15 BY MS. KARRON:

16 Q Your Complaint, paragraph two, states: When  
17 Jane reported the sexual assault she had experienced to  
18 one of her teachers, the school officials learned of the  
19 incident on or around January 20, 2023.

20 I'll pause so you can translate.

21 Rather than coming to Jane Doe's aid,  
22 defendants failed to adequately and equitably respond  
23 and investigate the allegations, engaged in a coverup of  
24 the sexual assault, and refused to take any meaningful  
25 corrective action.

1           And my question is: How did the defendants  
2 engage in a coverup of the sexual assault?

3       A    Okay. They covered it up because when I went  
4 over to the school, they said that it had only been  
5 something verbal, that nothing of that had ever  
6 happened. They never addressed it as something that was  
7 sexual in nature. They said that it was simply kids  
8 getting to know each other's bodies.

9           They didn't pay any heed to what my daughter  
10 had said. They never addressed it as a sexual incident,  
11 even despite the fact that it involved her private parts  
12 and that it was sexual in nature because it involved her  
13 private parts. They just kept maintaining it as if it  
14 was just an issue in between kids, just an issue going  
15 on in between kids, despite it involving her private  
16 parts, it involving a mouth, and it involving -- the  
17 fact it was sexual in nature.

18           They never addressed it as sexual harassment.  
19 They simply kept saying that it was just an issue in  
20 between kids.

21       Q    What's your understanding of the meaning of  
22 sexual harassment?

23       A    It's something that has -- that is -- that has  
24 to do with sexuality. It's something that involves  
25 mouth and it's something that involved your private

1 parts. And it is also a person harassing another.

2 Q Do you believe that sexual harassment is  
3 something that could happen only one time?

4 MR. MACDONALD: Objection, form.

5 A No. I'm sure that it occurred on more than  
6 one occasion.

7 BY MS. KARRON:

8 Q That wasn't what I asked you. I asked you:  
9 Do you believe that sexual harassment is something that  
10 can happen only one time?

11 MR. MACDONALD: Objection, form.

12 A No, I believe that it could happen more than  
13 once.

14 BY MS. KARRON:

15 Q You believe that for it to be sexual  
16 harassment, it has to be something that occurs  
17 repeatedly? Yes or no.

18 MR. MACDONALD: Objection, form.

19 A I'm not really sure about the meaning, I'm not  
20 really sure about the dictionary's meaning for it, but I  
21 believe that it can occur on more than one occasion.

22 BY MS. KARRON:

23 Q In your Complaint you allege that there was --  
24 that the defendants unlawfully deprived Jane's personal  
25 dignity.

1 How was her personal dignity deprived by  
2 defendants?

3 MR. MACDONALD: Objection, form.

4 A I'm sorry, but what do you mean, deprived of  
5 her dignity? Could you formulate the question again?

6 BY MS. KARRON:

7 Q Sure. I'll read you your own Complaint. It  
8 says, paragraph four: Jane seeks monetary relief to  
9 redress defendants' unlawful deprivation of Jane's  
10 personal dignities.

11 MR. MACDONALD: Objection, form.

12 A I believe that they did treat her as if she  
13 had no dignities because they didn't pay any heed to  
14 what she had to say despite the fact that they touched  
15 her private parts. They didn't listen to her when she  
16 went through sexual assault. And I believe that -- I  
17 believe that this damaged her dignity and I don't know  
18 how this will affect her in the future.

19 BY MS. KARRON:

20 Q Did anyone at Academir tell you that you had  
21 to withdraw your daughter from the school?

22 A Not directly to me. They told that to my  
23 husband.

24 Q And I just want to clarify, because I know  
25 that you've mentioned, and I don't want to have to make

1 you keep repeating what your daughter told you, but I'm  
2 trying to clarify because it went different ways in  
3 different interviews.

4 My question is: Did your daughter ever tell  
5 you that her vagina was licked by L.R.?

6 A She does not know the term vagina. She  
7 doesn't know the term vagina. What she calls it is  
8 pee-pee or coo-coo, which is a term that's used to  
9 refer -- that they use to refer to vagina or to your  
10 private parts. That is how they call it in Spanish,  
11 pee-pee or coo-coo. And she touched it.

12 Q Okay. So coo-coo refers to vagina, not butt?

13 MR. MACDONALD: Objection, form.

14 A She touched it, so I'm referring -- so I  
15 imagine that she was referring to her vagina.

16 BY MS. KARRON:

17 Q Did she --

18 A I don't know, but she touched it.

19 Q Did your daughter ever tell you or gesture to  
20 you that L.R. licked her butt?

21 A She told me, using her gestures, even using  
22 her little tongue to signal to it, that he did it just  
23 like this. And after that, she touched with -- using  
24 her finger, she touched where he had touched her doing  
25 that. And I believe that she touched her vagina, her

1 private parts.

2 Now, I don't know if he touched her butt.

3 Q Okay. And did L.R. -- did your daughter ever  
4 tell you or gesture to you that L.R. licked her breasts?

5 A She didn't refer to it as breasts because she  
6 doesn't really know that term. What she -- the word  
7 that she used was tits, and she touched herself using  
8 her little fingers. She touched herself there, using  
9 her little fingers.

10 Q And did your daughter ever tell you or gesture  
11 to you that L.R. kissed her on the mouth?

12 A She touched herself and she told me he kissed  
13 me on the mouth, with those words.

14 Q Did your daughter ever indicate to you that  
15 L.R. used his hands to touch her in any way?

16 A I'm not sure about his hands, but what is very  
17 clear about -- what she did make very clear is that he  
18 licked her. Because she even stuck her tongue out to  
19 tell me. And he took -- she told me that he licked her.  
20 Licked. And she told me where he had done that.

21 Q Do you know whether anyone at the school  
22 viewed the video surveillance from January 20th of 2023?

23 MR. MACDONALD: Objection, form.

24 A I don't know whether they saw it on the 20th.  
25 I know that on Tuesday, when I went there first thing on

1 Tuesday, they told me that they would check then, but I  
2 don't know whether they had seen it.

3 BY MS. KARRON:

4 Q Have you ever seen the video surveillance from  
5 January 20th of 2023?

6 MR. MACDONALD: Objection, form. She can  
7 answer if she's seen the video, but she should not  
8 discuss any communications with me or our office.

9 MS. KARRON: I asked her if she's seen the  
10 video. I didn't ask her for communications.

11 MR. MACDONALD: I know. I'm just clarifying  
12 for my client.

13 A A long time later I did see a portion of it.

14 BY MS. KARRON:

15 Q And did you see anything on the video that  
16 indicated that your daughter was touched by L.R. with  
17 his tongue?

18 A I did see a portion of that video for that  
19 specific day, but they never showed me the ones for  
20 outside, nor did they ever show me the ones for the rest  
21 of the month.

22 What warranty do I have that this didn't occur  
23 on a different day? And, also, they didn't show it to  
24 me for outside when she told me that she run over to the  
25 PE teacher. So where is that video?

1 Q Well, there is no video of the outside.

2 That's why it wasn't shown to you.

3 Do you claim that you were not aware of your  
4 rights under Title IX by the time that your husband  
5 contacted the police on January 25th?

6 MR. MACDONALD: Objection, form, calls for a  
7 legal contention.

8 A No.

9 BY MS. KARRON:

10 Q When did you or anyone on Jane Doe's behalf  
11 contact DCF?

12 A We contacted them, I'm not sure, but it was  
13 when she was already over at the new school. I believe  
14 it was on a Tuesday. I believe it was on a Tuesday.  
15 And by then I thought that the school had already  
16 contacted DCF. But it wasn't that way. I was the first  
17 one to do it.

18 Q And I just saw -- according to your lawsuit,  
19 you contacted DCF on January 31st of 2023. Does that  
20 sound right?

21 A I'm not sure, but it could have been on that  
22 date. I'm just not sure about that exact date right  
23 now.

24 Q When you viewed the surveillance video for the  
25 classroom on January 20th, did you see anything that

1 supports your claims in this case in any way?

2 MR. MACDONALD: Objection, form, legal  
3 contention.

4 A I couldn't see anything on that video, but  
5 what warranty do I have that they didn't change the  
6 video to a different one? Or what warranty do I have  
7 that they didn't edit that video? And they never showed  
8 anything from outside. And it also could have been done  
9 on a different day. I trust in Jane Doe.

10 MR. YOUNT: Object to the responsiveness of  
11 the witness. It was a pretty straightforward  
12 question.

13 BY MS. KARRON:

14 Q So is it now your contention that someone has  
15 edited the video or changed it in some sort of way?  
16 And, if so, do you have any evidence to support that?

17 MR. MACDONALD: Objection, form.

18 A I have no evidence. I don't know. I simply  
19 trust in my daughter.

20 BY MS. KARRON:

21 Q So you think that the word of a five-year-old  
22 is stronger than video evidence?

23 MR. MACDONALD: Objection, form.

24 A My daughter's words are what have -- are what  
25 have the most worth. I know that my daughter spoke the

1 truth, and I believe in her.

2 BY MS. KARRON:

3 Q From the time that your daughter was withdrawn  
4 from the school to the time that you contacted DCF, I'll  
5 represent to you that six days passed.

6 I'll let you translate that part.

7 How did a delay in six days of the school  
8 reporting it to DCF, versus you reporting it, impact the  
9 case?

10 MR. MACDONALD: Objection, form.

11 MS. KARRON: No speaking objections. Just say  
12 form.

13 MR. MACDONALD: Objection, form, legal  
14 contention.

15 MS. KARRON: Okay. Stop doing speaking  
16 objections. We're in federal court, and I'm  
17 objecting to you doing it, and I'm sure Scott does  
18 as well.

19 MR. MACDONALD: I'm saying legal contention  
20 because that's outside of a form objection, so I'm  
21 just noting --

22 MS. KARRON: We're not in a trial deposition,  
23 we're in a discovery deposition, Kyle.

24 MR. MACDONALD: Okay. And that's a proper  
25 objection. I don't know why you're arguing with me

[REDACTED]

1 about this.

2 I'm preserving the objection. You can move on  
3 with your questioning.

4 MS. KARRON: All right. We'll --

5 MR. YOUNT: Legal contention is a proper  
6 objection?

7 MS. KARRON: For a discovery deposition.

8 MR. MACDONALD: Yes. She is asking her to  
9 apply facts to law, how did it affect the case.  
10 She is a lay witness, and you're asking her to  
11 apply facts to law --

12 MS. KARRON: It's a discovery deposition.

13 MR. YOUNT: I didn't hear her ask that  
14 question, so -- but, in any event.

15 MR. MACDONALD: Okay.

16 BY MS. KARRON:

17 Q All right. You can answer the question.

18 A Could you repeat it again?

19 Q Sure. How did a delay of six days in  
20 notifying DCF impact DCF's investigation?

21 MR. MACDONALD: Objection, form.

22 A In which way did this affect DCF? I'm sorry,  
23 but I still don't understand. Could you maybe say it in  
24 simpler terms?

1 BY MS. KARRON:

2 Q What was the outcome of DCF's investigation of  
3 your daughter's case?

4 A She again told the story to DCF just as she  
5 had told it to us, and the DCF agent asked her how many  
6 times did this happen to you, and she said more than  
7 once, which supported what she had already told us.

8 MS. KARRON: Move to strike as nonresponsive.

9 BY MS. KARRON:

10 Q I asked you what the outcome of the  
11 investigation was.

12 A What was the result of it? That they filed a  
13 report.

14 Q Okay. Did DCF do anything other than filing a  
15 report?

16 MR. MACDONALD: Objection, form.

17 A I don't know what else DCF might have done. I  
18 really don't know what else they did.

19 BY MS. KARRON:

20 Q In your lawsuit you allege that Jane Doe  
21 suffered significant academic harm.

22 Do you know how she suffered significant  
23 academic harm if her grades did not go down at all?

24 A Her grades began going up by the end of the  
25 school year, but by the beginning of the school year she

1 wasn't the best student when it came to reading, and she  
2 was also not the best student when it came to math.

3       The transition did pay a toll on her.

4       Q    Okay. And again I'm going to ask you: How  
5       did she suffer significant academic harm if her grades  
6       didn't go down?

7           MR. MACDONALD: Objection, form.

8       A    Her grades weren't the best in the beginning.  
9       She wasn't getting the same grades that she always got  
10      before then. She was also not the best when it came to  
11      reading. She was actually the last one to be able to  
12      read the words that were the goal for the reading class.  
13      She was also not doing great when it came to math. She  
14      didn't get any Fs, but her grades should have been  
15      better, being that she's always been a very intelligent  
16      girl.

17     BY MS. KARRON:

18       Q    But her grades, by the end of the year, had  
19      improved since they were at Academir; is that fair?

20       A    By the -- she did by the end of the year, but  
21      she didn't even get a medal, and she was one of the  
22      girls that would get a medal.

23       Q    A medal for what?

24       A    For the best grades in the class.

25       Q    She was in kindergarten. How do you know she

1 would have gotten a medal?

2 MR. MACDONALD: Objection, form.

3 A Because she's a very intelligent little girl.

4 Because this year she's already getting better grades.

5 And she's always been very intelligent, so I was

6 expecting better performance from her throughout the

7 whole year.

8 BY MS. KARRON:

9 Q Okay. She didn't get a medal. Anything else?

10 MR. MACDONALD: Objection, form.

11 A What more regarding academics?

12 BY MS. KARRON:

13 Q Yes. Regarding significant academic harm.

14 A She wouldn't speak in class. The teacher told

15 me that she was very shy. She also got some bad grades,

16 like a D, which is not something that I was used to

17 seeing when it came to my daughter.

18 She wasn't achieving the goals when it came to

19 reading. And this I'm saying when I -- when the other

20 kids did achieve them, being that I know that the other

21 kids are not as intelligent as my daughter. And she

22 couldn't achieve that goal -- knowing that she's very

23 intelligent, she couldn't achieve that goal, and she

24 didn't -- because she wasn't as fast as the other kids.

25

1           MR. MACDONALD: When we reach a good stopping  
2 point, could we take a break, Julie?

3           MS. KARRON: Sure. We can do it now.

4           MR. MACDONALD: Okay.

5           (Recess was had from 4:37 p.m. to 4:48 p.m.)

6 BY MS. KARRON:

7           Q Aside from yourself and your husband and  
8 people at Academir, is there anyone else that is a  
9 witness to this case that you know of?

10          A I imagine that also the police, even if the  
11 report that they made was completely unfair, and the  
12 psychiatrist.

13          Q Did you ever make any reports to the police  
14 yourself?

15          A No. Me, personally, I didn't.

16          Q And did you, yourself, ever follow up with the  
17 police to see if an investigation was being done?

18          A They gave us a ticket, and I have it right  
19 there, I could even bring it over here if you want to  
20 see it, and that ticket has a number on it. My husband  
21 did ask for a follow-up by February, and what they gave  
22 him was a report.

23          Q Are you aware that the reason that there was  
24 no follow-up was because your husband told them he did  
25 not want an investigation to be launched?

1 MR. MACDONALD: Objection, form.

2 A I doubt that, because after the school didn't  
3 show us the cameras and the school did not separate the  
4 children, he did request an investigation, and that  
5 should be in the report.

6 BY MS. KARRON:

7 Q How many times did you speak with the school  
8 regarding the allegations in this case, regarding this  
9 incident?

10 A Right after my girl told me about this, first  
11 thing in the morning by the next day I told the teacher  
12 about it. I also requested to have a meeting as soon as  
13 possible at the school at 8:00 in the morning on that --  
14 on the next school day.

15 Now, I also called the counselor. After I had  
16 requested for them to stop talking about the subject  
17 with my little girl, I called them after that to tell  
18 them about that, and I called them again and again.

19 I even wrote to Rolando Mir. I even wrote to  
20 Rolando Mir, the one who's in charge of Superior and  
21 also of Academir, to request that we -- that we could  
22 talk about the situation, and he hung up on me.

23 I also asked him, if he had a conscience, to  
24 please look into what had happened to my daughter. I  
25 called -- I remember that on one day I called two to

1 three times, and Soleil, the lady from the front desk,  
2 told me that she didn't know that a meeting was being  
3 held with Mr. Mir.

4 I did call the school as many times as I  
5 could. I couldn't have called the school more times  
6 than I did.

7 The reason why I called two to three times on  
8 that day was because I was trying to have a meeting with  
9 that man so I could explain to him my daughter's  
10 situation. I called many times.

11 MS. KARRON: We can take two minutes off the  
12 record.

13 INTERPRETER: She said my battery's running  
14 low.

15 (A discussion was held off the record from  
16 4:56 p.m. to 4:56 p.m.)

17 BY MS. KARRON:

18 Q Did Jane -- I'm sorry. We call her Jane, but  
19 I know you know her as Jane Doe.

20 Did Jane Doe ever miss any days from Academir  
21 before you withdrew her from school?

22 A Before that Monday, yes, because I didn't feel  
23 that it was a safe option to take my daughter to that  
24 school when they didn't want to resolve anything.

25 Q How many days of school did your daughter miss

1 from the time that you reported the incident to them  
2 until the time you withdrew her?

3 A She missed Thursday, Friday, so two days.  
4 Because on Monday I was going to have a meeting with  
5 Rolando Mir to see if we could work out a resolution to  
6 this, but he never showed up for it. And that's the day  
7 when I made my final decision to take her out of the  
8 school. So she missed Thursday, Friday and Monday. I  
9 believe that would be three days.

10 Q When did she begin school at Kendale Lakes  
11 Elementary?

12 A That same day, in the evening, we began  
13 looking for schools. So I believe that it was by the  
14 next day, on Tuesday. Yes, on Tuesday, I believe.

15 Q Did your daughter suffer any physical injuries  
16 as a result of the sexual incident? Like was she hurt  
17 physically?

18 A Physical, like her being hit? I don't know --

19 Q Like physically hurt, injured. Sorry.

20 A I don't know, but you couldn't visibly see  
21 anything. Nothing like her receiving a blow.

22 Q How many recordings do you have of Jane Doe  
23 speaking of the incident?

24 A Just one. Just once. I only spoke with her  
25 about it twice because she brought up the subject. She

1 brought it up in conversation, and I only recorded it  
2 once because I didn't want to speak about the subject  
3 again.

4 Q Have you posted anything about this case on  
5 social media?

6 A Of course not, being that I don't even want to  
7 know -- my daughter's identity to be known.

8 MS. KARRON: Understood. Okay. Thank you for  
9 your time. That's all the questions I have. I  
10 believe that counsel for Superior has some  
11 questions.

12 THE WITNESS: Thank you.

13                   CROSS-EXAMINATION

14 BY MR. YOUNT:

15 Q Good evening, [REDACTED] My name is Scott  
16 Yount and I'm the attorney representing Superior Charter  
17 Schools.

18 A Hi.

19 Q I have a few follow-up questions, so I'm going  
20 to jump around a bit. Many of my questions are going to  
21 call for a yes or a no answer. When I ask you a  
22 question like that, please answer yes or no, and then if  
23 you feel you need to explain, please do so. Okay?

24 A Okay.

25 Q And another potential response to one of my

1 questions might be "I don't know." So if you don't  
2 know, just tell me you don't know and I'll move on.  
3 Okay?

4 Please answer verbally to my questions. Okay?

5 A You didn't hear me, but I did say okay.

6 Q And if you don't understand what I'm asking  
7 you, please let me know so I can clarify.

8 A Okay.

9 Q On what date did you and your husband retain  
10 an attorney for this claim?

11 A It was once we received the police report  
12 which made it seem like no one was going to do anything  
13 about this.

14 Q How long, after you and your husband spoke to  
15 the police, did you receive the police report?

16 A I don't quite remember, but he called them  
17 several times and he was told that it wasn't ready yet.  
18 I know that it was around the month of February. I  
19 don't remember the date, but I know that it was a  
20 February day when he called, and they told him that they  
21 would get it to him by the next day. But he had already  
22 been calling them several times before then.

23 Q Is it accurate that you hired an attorney  
24 after you switched Jane Doe to a different school?

25 A Yes.

1 Q Have you or your husband spoken to the parents  
2 of L.R. about the incident or about this lawsuit?

3 A No. I even mentioned it during the meeting.  
4 I told them I don't understand why that woman hasn't  
5 contacted me.

6 Q When you say "that woman," who are you  
7 referring to?

8 A The woman, I believe -- that I believe to be  
9 the boy's mother, they told me during the meeting that  
10 they had already met with the boy's mother, but she  
11 never contacted me.

12 Q Did you make any efforts to contact the boy's  
13 mother?

14 A No. I didn't have her number.

15 Q Have you filed a lawsuit against the parents  
16 of L.R.?

17 A A lawsuit against that boy? No. The lawsuit  
18 is against the school, which is the one that acted  
19 improperly.

20 My husband did mention to DCF that it would be  
21 a good idea for them to investigate on why it was that  
22 this boy was doing those things.

23 Q [REDACTED] my question is very simply: Have  
24 you filed a lawsuit against the boys' parents?

25 A No.

1 Q Have you made a claim and asked them for  
2 money, either the parents or their insurance company?

3 A No.

4 Q Why not?

5 A The boy?

6 Q The parents of the child.

7 A It's just -- I don't -- it's because, in  
8 reality, what the boy did is the parents'  
9 responsibility.

10 Now, my girl wasn't going to be in the same  
11 class with that boy. Just know that I, myself, wouldn't  
12 have my girl in the same class as that boy.

13 But, no, I didn't place a lawsuit against the  
14 parents.

15 Q How much money are you seeking to recover from  
16 my client, which is Superior Charter Schools?

17 MR. MACDONALD: Objection, form.

18 A I believe the exact amount is \$3.2 million.

19 BY MR. YOUNT:

20 Q Do you distinguish that dollar amount from my  
21 client, which is Superior Charter Schools, and  
22 Ms. Karron's client, which is Academir?

23 MR. MACDONALD: Objection, form, legal  
24 contention.

25 A May I not answer this question?

1 BY MR. YOUNT:

2 Q If you know the answer, you need to answer the  
3 question.

4 A It's not clear to me. I'm not sure about it  
5 right now. It's unclear to me. I don't remember the  
6 amounts right now.

7 Q Is it accurate that you and your husband have  
8 spent no money in medical care or psychological care or  
9 treatment for your daughter which you relate to this  
10 accident?

11 MR. MACDONALD: Objection, form.

12 A We did hire a psychiatrist who evaluated our  
13 little girl, and we -- while he did that, we were  
14 present on the -- over on the other side, listening to  
15 what she had to say. But what I want for her is for her  
16 to forget about this. That's why I haven't looked for  
17 another psychiatrist.

18 BY MR. YOUNT:

19 Q Have you read the report that was issued by  
20 the psychiatrist who examined your daughter for this  
21 litigation?

22 A Yes.

23 Q And you are aware that that doctor is not  
24 going to treat your daughter for any problems she may  
25 have experienced from this accident?

1 A Yes.

2 Q It says it in his report; correct?

3 A Yes.

4 Q And the only reason you had your daughter  
5 speak to this individual is for this litigation;  
6 correct?

7 MR. MACDONALD: Objection, form.

8 A I also wanted to hear a professional's  
9 opinion.

10 BY MR. YOUNT:

11 Q Who is Jane Doe's pediatrician?

12 A It's at Center for Pediatric Care.

13 Q Is there one particular doctor or physician's  
14 assistant that she sees more frequently than another?

15 A She has -- over at the Center there's like  
16 three physicians. She sometimes seen by Alicia, she's  
17 sometimes seen by the nurse practitioner, or sometimes  
18 it's Lorena. One of those three are the ones who see  
19 her.

20 Q Do you attend all of your daughter's  
21 pediatrician visits?

22 A She has her follow-up appointment every year.

23 Q [REDACTED], my question is: Do you, Jane Doe's  
24 mother, attend Jane Doe's pediatrician's visits with  
25 her?

1 A Yes.

2 Q Did you ever talk to the pediatrician or the  
3 nurses about this alleged incident?

4 A No.

5 Q Did Jane Doe?

6 A No.

7 Q If this case goes to trial, is Jane Doe going  
8 to testify?

9 MR. MACDONALD: Objection, form.

10 A I want for her to forget about this. I don't  
11 want for anyone to talk with her about the subject  
12 again. I really wouldn't want anyone to interview her  
13 about this again.

14 BY MR. YOUNT:

15 Q Does that mean that, as the decision maker for  
16 your claim, you are not going to have Jane Doe testify  
17 at the trial?

18 MR. MACDONALD: I'm going to object to the  
19 form and instruct her not to answer. That  
20 encroaches on --

21 MR. YOUNT: What's wrong with the form of the  
22 question? And, number two, what's the basis for  
23 not answering?

24 MR. MACDONALD: Yes. I'm instructing her not  
25 to answer on the grounds that it encroaches on

1 attorney-client privilege and work product  
2 privilege by asking her about the mental  
3 impressions of counsel as to trial strategy by  
4 asking her who is going to testify at a trial.

5 MR. YOUNT: All right. I'll try one more  
6 time.

7 BY MR. YOUNT:

8 Q [REDACTED]

9 INTERPRETER: Sorry. Counsel, do you want me  
10 to interpret your objection?

11 MR. MACDONALD: Yes, please.

12 INTERPRETER: Okay.

13 BY MR. YOUNT:

14 Q [REDACTED], do you believe that -- as Jane Doe's  
15 mother, that she is capable of going into a courtroom  
16 and telling the truth to a jury of six people or seven  
17 people?

18 A She's seven years old. I really wouldn't want  
19 for her to speak about the subject again.

20 Q Have you ever read your Complaint or had the  
21 Complaint read to you?

22 A I read it.

23 Q Are you able to read English?

24 A English is not my first language, but I can  
25 read in English.

1 Q If I were to show you a paragraph in the  
2 Complaint, could you read it and then answer questions  
3 in Spanish about it?

4 A For this reason, I would prefer if it were  
5 translated to me.

6 Q Okay. When you read the Complaint, did  
7 everything contained in the complaint -- strike that.

8 Was everything in the Complaint that you read  
9 true and correct?

10 A Yes.

11 Q In the Complaint, at paragraph 14, you state  
12 that on January 20th, 2023, one of Jane's classmates,  
13 who you identify as L.R., which we know to be L.R.,  
14 kissed and otherwise touched your daughter; is that  
15 correct?

16 A Yes. That's the day that she reported to us.

17 Q January 20, 2023, is the date that she  
18 reported it, and that's also the date that you claim the  
19 assault occurred; is that correct?

20 MR. MACDONALD: Objection, form.

21 A That's the day that she reported it, and I'm  
22 almost sure that's the day when it occurred, but I don't  
23 know how many other times it also occurred.

24 BY MR. YOUNT:

25 Q Now, [REDACTED] I want to talk about what you

1 state in your Complaint, and in that Complaint you  
2 allege one incident on January 20, 2023; is that  
3 correct?

4 MR. MACDONALD: Objection, form.

5 A One incident did occur on that day. I know  
6 that something did occur on that day. Now, I don't --  
7 what I don't know is on how many other days or on how  
8 many other different occasions something else occurred.

9 That, I don't know.

10 BY MR. YOUNT:

11 Q You found out about the alleged incident  
12 because somebody with the school told you; is that  
13 correct?

14 A The school called me that afternoon to let me  
15 know that something verbal had occurred. The one who  
16 called me was Soleil, with Ms. Chaudry being next to  
17 her. But I learned about the incident from my  
18 daughter's own mouth, and I believe in her and I know  
19 that what she told me is true.

20 Q [REDACTED] who told you about any incident  
21 first? Who was the first person to tell you about any  
22 incident?

23 A The one -- it was the receptionist that first  
24 told me over the phone. But the first one to tell me in  
25 person was my own daughter. First thing when I opened

1 that door, she told me, Mom, I have something to tell  
2 you.

3 Q [REDACTED] this occurred on January 20, 2023;  
4 correct?

5 MR. MACDONALD: Objection, form.

6 A The day in which I was told, the day when they  
7 reported it to me, yes, it was on that date, on  
8 January 20th.

9 BY MR. YOUNT:

10 Q When you dropped your daughter off at school  
11 that day on January 20th, when you dropped her off, did  
12 you have any suspicion whatsoever that your daughter had  
13 ever been spoken to inappropriately or touched  
14 inappropriately by another student?

15 A Not up to that moment.

16 Q Because if you would have had such a  
17 suspicion, you wouldn't have dropped your daughter off  
18 at school; is that correct?

19 A Of course not.

20 Q And before January 20, 2023, Jane Doe seemed  
21 completely happy with everything that was going on at  
22 the school, from what you could tell as her mother;  
23 correct?

24 MR. MACDONALD: Objection, form.

25 A She was always -- she was not always happy at

1 that school. There were some occasions when she didn't  
2 want to go to school, but I imagined that it was just  
3 something normal in kids not wanting to go to school  
4 sometimes. But she was not always happy happy.

5 BY MR. YOUNT:

6 Q If Jane Doe had been subjected to either  
7 verbal or physical sexual assault prior to January 20,  
8 2023, would you have expected her to tell you when it  
9 happened?

10 MR. MACDONALD: Objection, form.

11 A Whether I would have expected her to tell me?  
12 I am sorry, but I don't understand. Whether I would  
13 have thought that she would have told me?

14 BY MR. YOUNT:

15 Q Correct.

16 MR. MACDONALD: Same objection.

17 A Could you please formulate the question again?  
18 I didn't understand it.

19 BY MR. YOUNT:

20 Q Something happened to Jane Doe on January 20  
21 and she told you about it on January 20; correct?

22 MR. MACDONALD: Objection, form.

23 A Yes.

24 BY MR. YOUNT:

25 Q If something had happened on January 10th at

1 school, would you have expected her to tell you about it  
2 on January 10th?

3 MR. MACDONALD: Objection, form.

4 A I don't know what's going on in her mind. I  
5 just know that when she told me about it, it had  
6 happened then.

7 BY MR. YOUNT:

8 Q If Jane Doe had been subjected to verbal or  
9 sexual assault prior to January 20, 2023, would you have  
10 expected her to tell you around the time that it  
11 happened?

12 MR. MACDONALD: Objection, form.

13 A I don't know if she might have not told me if  
14 something had happened to her previously. What I do  
15 know is that when she told me about the incident, it had  
16 occurred.

17 BY MR. YOUNT:

18 Q When she told you about the incident that  
19 occurred on January 20th, she volunteered the  
20 information before you asked her about it; correct?

21 A Yes.

22 Q Do you understand the difference between  
23 Academir and Superior Charter Schools, which are the two  
24 defendants you sued in this case?

25 MR. MACDONALD: Objection, form.

1 A Yes.

2 BY MR. YOUNT:

3 Q Explain the difference between the two  
4 entities.

5 MR. MACDONALD: Objection, form.

6 A Okay. So Superior's the one that does, like,  
7 the management for all of the Academirs.

8 BY MR. YOUNT:

9 Q In connection with your -- with Jane Doe's  
10 attendance at Academir, did you ever make payments  
11 directly to Superior for anything?

12 INTERPRETER: Payment directly to Superior?

13 MR. YOUNT: Correct.

14 A The payment, when it was for day care, was  
15 made to the school. I don't know what portion of it was  
16 for Superior. That, I don't know.

17 BY MR. YOUNT:

18 Q Did you pay by check?

19 A I don't remember how it was back when it was a  
20 day care.

21 Q Was the day care Academir?

22 A Yes. They used to have a day care there, and  
23 my girl has been at Academir ever since she was two  
24 years old.

25 Now over at VPK, I know that you pay the

1 school too. So, yes, I believe so, it's made to the  
2 school.

3 Q The school being Academir; correct?

4 A Yes. What I don't know is what portion of it  
5 was made to Superior. I really don't know how that  
6 money is divided in between them. That, I don't know.

7 Q In your Complaint, [REDACTED] you allege that  
8 Superior Charter Schools receives federal funding. Are  
9 you aware of that allegation in your Complaint?

10 MR. MACDONALD: Objection, form.

11 A Yes.

12 BY MR. YOUNT:

13 Q Without telling me anything that you've spoken  
14 with your attorney, what information do you have that  
15 Superior Charter Schools has received federal funding?

16 MR. MACDONALD: Objection, form, legal  
17 contention.

18 A I'm not sure about this, but I believe that  
19 that school is a charter, which is that a part of it is  
20 private and another part of it they receive funding from  
21 the government.

22 BY MR. YOUNT:

23 Q In the response, [REDACTED], you used the phrase  
24 "that school." What is "that school"?

25 MR. MACDONALD: Objection, form.

1 A Well, to Academir, which also includes  
2 Superior, because they're a part of the school; right?

3 BY MR. YOUNT:

4 Q [REDACTED], you've sued two separate companies  
5 here. You've sued Academir and Superior. You  
6 understand that; correct?

7 A Yes.

8 Q So you understand they're separate entities;  
9 correct?

10 MR. MACDONALD: Objection, form.

11 A Yes.

12 BY MR. YOUNT:

13 Q And your daughter attended Academir; is that  
14 correct?

15 A Yes.

16 Q And you told me earlier that Superior was the  
17 management company that worked with Academir and other  
18 schools; is that correct?

19 MR. MACDONALD: Objection, form.

20 A Yes.

21 BY MR. YOUNT:

22 Q What information do you have which supports  
23 the allegation of your Complaint that Superior received  
24 federal funding?

25 MR. MACDONALD: Objection, form, legal

1 contention.

2 A Could you formulate the question once again?

3 I didn't quite understand it.

4 BY MR. YOUNT:

5 Q Do you understand that you have alleged in  
6 your Complaint that my client, Superior, receives  
7 federal funding?

8 MR. MACDONALD: Objection, form.

9 A Yes.

10 BY MR. YOUNT:

11 Q What evidence do you have to support that  
12 claim?

13 MR. MACDONALD: Objection, form, legal  
14 contention.

15 A Evidence to show that? Well, I don't know. I  
16 looked online and I informed myself about that.

17 BY MR. YOUNT:

18 Q Okay. Can you tell me where online can I look  
19 up to see whether Superior receives federal funding?

20 MR. MACDONALD: Objection, form, legal  
21 contention.

22 MR. YOUNT: Kyle, your objections are starting  
23 to get a little bit too much. I asked her to tell  
24 me where it is online. There's no legal conclusion  
25 or contention about that. It's a very simple

1 factual request.

2 You're trying to coach your witness, and I'm  
3 going to ask you to stop. Please don't do it  
4 again.

5 MR. MACDONALD: I just want to clarify. I'm  
6 not trying to coach her, but you're asking her  
7 where online she can find evidence to support her  
8 claim. You're asking her where online she can find  
9 evidence to support her legal claims. That's why  
10 I'm objecting on the basis of a legal contention.

11 MR. YOUNT: That's an invalid objection based  
12 on the question asked, but I don't want to argue  
13 about it.

14 BY MR. YOUNT:

15 Q [REDACTED] please answer the question.

16 A I'm sorry, but with this conversation going  
17 on, I disassociated. So could you please repeat the  
18 question? Sorry.

19 Q Where online can I find evidence that Superior  
20 Charter Schools receives federal funding?

21 MR. MACDONALD: Same objections.

22 A Right now I'm not sure. In reality, I know  
23 that Rolando is part of Superior because I looked him  
24 up, and I know that he's part of the management for all  
25 of Academirs.

1 BY MR. YOUNT:

2 Q [REDACTED] I appreciate your answer, but my  
3 question is very simple. Where online can I look up  
4 that Superior receives federal funds?

5 MR. MACDONALD: Same objections.

6 A I can't remember right now.

7 BY MR. YOUNT:

8 Q Okay. Do you associate Mr. Mir with Superior?

9 A In some way, yes.

10 Q The first time you communicated with Mr. Mir  
11 about the incident was on January the 27th, 2023; is  
12 that correct?

13 A It must have been around those dates. I can't  
14 remember the exact date.

15 Q It was by text; correct?

16 A I also called him and he hanged up on me, and  
17 I wrote to him, thinking that the call had been lost.

18 Q Did you text him first or did you call him  
19 first?

20 A I called him first and he hung up on me.

21 Q Did you identify yourself before he hung up on  
22 you?

23 A Yes.

24 Q What did you say to him?

25 A I don't quite remember, but I told him my name

1 is [REDACTED], I'm the mother of Jane Doe, and I wanted  
2 to talk to you about an incident that occurred at the  
3 school. Perhaps you are not -- then I began to tell him  
4 more about the incident and I told him the story about  
5 the incident, and that he's when he hung up on me. Now,  
6 I'm thinking that the call had just been dropped.

7 I wrote to him and I told him I know that  
8 you're a good person, and I just would like for you to  
9 work with me in finding a solution to this. Sorry.

10 Maybe you're not aware.

11 (The court reporter asked for clarification.)

12 MR. YOUNT: Ms. Court Reporter, how are you  
13 doing? Did you get all that? Can you read it  
14 back, please?

15 (The answer was read by the reporter.)

16 MR. YOUNT: And that's the end of the  
17 translation?

18 INTERPRETER: For the interpreter, yes.

19 MR. YOUNT: Okay. Thank you.

20 BY MR. YOUNT:

21 Q [REDACTED], did you text Mr. Mir the same day  
22 that you called and gave this information to him and he  
23 hung up?

24 A No, I don't quite remember, but I believe so.

25 Q Because we have your text message, and it's

1 sent Friday, January 27, at 8:41 a.m.

2           Was the call you placed to Mr. Mir just before  
3 then?

4           MR. MACDONALD: Objection, form.

5           A I don't quite remember, but I believe that it  
6 was like on a Thursday because I wanted to have a  
7 meeting with him as soon as possible, and I don't know  
8 why he delayed it all the way till Monday. I thought  
9 maybe he was busy doing things.

10          It's hard for me to remember because it's  
11 already been more than a year since then, but I know  
12 that we agreed to have a meeting on Monday at 3:00 in  
13 the afternoon, or something like that.

14 BY MR. YOUNT:

15          Q In fact, [REDACTED], Mr. Mir told you, when he  
16 responded to your text, that he was out of town; is that  
17 correct?

18          A I don't remember and I don't have those  
19 messages right now.

20          Q When you say Mr. Mir hung up on you, did you  
21 get the impression that he was hanging up on you to be  
22 rude, or do you think the call was dropped, or do you  
23 think that it was an accident, or do you just not know?

24          A I don't know.

25          Q So the first time that you communicated with

1 Mr. Mir was a short call before you texted him; correct?

2 A Yes. Yes.

3 Q Before that telephone communication, did you  
4 have any communications with anybody associated with  
5 Superior Charter Schools about the alleged incident?

6 MR. MACDONALD: Objection, form.

7 A Well, I really don't know whether Bello  
8 [phonetic] is also part of them, but we were at school.  
9 I just don't know who, at school, was part of them.

10 BY MR. YOUNT:

11 Q ████ will you please name every person  
12 who communicated with at the school prior to your  
13 conversation with Mr. Mir?

14 A According to what I remember, Soleil,  
15 Ms. Chaudry, the principal's assistant, I know that  
16 Jordani spoke with the principal, the counselor, the  
17 person from the school when -- when this person did not  
18 appear when I removed Jane Doe from the school, and I  
19 spoke with quite -- several people. Those are the ones  
20 that I can remember.

21 Q To your knowledge, are all of those people  
22 employees of Academir?

23 MR. MACDONALD: Objection, form.

24 A I don't know. I suppose so. It's not clear  
25 to me.

1 BY MR. YOUNT:

2 Q Now, you and Jane Doe's father decided to  
3 transfer Jane Doe to another school on January 31, 2023;  
4 is that correct?

5 A I don't quite remember the date, but it was  
6 around a Monday, approximately.

7 Q Your Complaint, at paragraph 69, says that the  
8 transfer occurred on January 31, 2023, which is a  
9 Tuesday.

10 A Are you able to clarify whether the transfer  
11 happened on Tuesday, the 31st of January, or whether it  
12 happened on the Monday, which would have been the 30th,  
13 or do you just not know?

14 A I don't remember. What I do remember is that  
15 when that final decision was made to take her out of the  
16 school, that was after we realized that the school  
17 wasn't going to take matters into this. When we  
18 realized that they weren't going to work into finding a  
19 solution to this, that's when we decided to take her out  
20 of the school.

21 Q And you would agree that nobody forced you to  
22 transfer Jane Doe to another school; is that correct?

23 A MR. MACDONALD: Objection, form.

24 A No. They told us that if we didn't like the  
25 school policy, that we could take our girl over to a

1 different school. They told us that they wouldn't  
2 change the boy over to a different class. They told us  
3 that they weren't going to check on the cameras. And  
4 they told us that they weren't going to look into a  
5 solution for this. They told us that if we didn't like  
6 how the school was handling it, that we could just take  
7 our daughter to a different school. So, yes, they did  
8 force us.

9 BY MR. YOUNT:

10 Q When you communicated with Mr. Mir by text on  
11 January 27th, 2023, you-all agreed to meet the following  
12 Monday, which would have been January 30, 2023; is that  
13 correct?

14 A That was the final agreement, but I believe  
15 that I had communicated to him that I wanted the meeting  
16 to be held before then, but he didn't give it to me  
17 until Monday. And I remember that that was under the  
18 pretext that he had something else going on and that's  
19 why he couldn't hold the meeting before then.

20 Now that I recall, I believe that he had  
21 actually offered a different date to me, but then he,  
22 himself, changed it to that day at 3:00.

23 MR. MACDONALD: She has a hard stop at 6:00,  
24 just so you know.

25 THE WITNESS: I have my girl's open house

1 today and I don't want to miss it because it's the  
2 open house.

3 MR. YOUNT: Kyle, I've got probably 30 more  
4 minutes. What do you want to do? Let's go off the  
5 record.

6 (A discussion was held off the record from  
7 5:59 p.m. to 6:01 p.m.)

8 (Ms. Karron left the videoconference.)

9 MR. YOUNT: Let's go back on the record.

10 BY MR. YOUNT:

11 Q [REDACTED] I'm showing you a document produced  
12 by your attorney which is Bates labeled JD000089 and it  
13 goes through 98.

14 My first question is: Can you read this  
15 document sufficient where you can answer questions about  
16 it?

17 MR. MACDONALD: Scott, if you want to ask her  
18 specific questions about text messages, I don't  
19 mind that as long as it's translated, but I just  
20 wanted that to be clear.

21 MR. YOUNT: Kyle, I've been trying. I just  
22 need to get her to confirm that she texted Mir on  
23 the 27th, and that the meeting was on Monday, but I  
24 can't get that from her. So I don't know how else  
25 to do it other than to show her the text.

1           MR. MACDONALD: Okay. Yeah, as long as it can  
2 be translated, that's fine, you can ask about it.

3           INTERPRETER: Would you like for me to  
4 translate it, Counsel?

5           MR. YOUNT: Let's just try to go and see how  
6 this goes.

7 BY MR. YOUNT:

8 Q [REDACTED] will you agree with me that this is  
9 the first text that you sent to Mr. Mir, which was on  
10 January 27th at 8:41 a.m.?

11 A Honestly, I don't really remember whether this  
12 was the first one. And, honestly, I also don't remember  
13 how much more I communicated with him by phone. So I  
14 really don't remember whether this was the first one.

15 Q [REDACTED] did you produce all of your texts  
16 with Mr. Mir to your attorney with respect to this case?

17 A Yes. Yes, I believe so. I believe that I  
18 submitted everything that I had. I might have missed  
19 something because that was in January and this was in  
20 February, but I gave them as much as I could -- as much  
21 as I had.

22 Q With respect to dates and timing, will you  
23 defer to what the texts state?

24 A Well, there's those text messages right there  
25 and I imagine that they have the dates there; right?

1 And I also imagine that over with the phone company you  
2 can also check on the dates; right?

3 Q Correct. Do you agree that -- never mind.

4 [REDACTED] since this incident, has Jane Doe  
5 experienced issues with bedwetting?

6 A With bedwetting? She did have an accident  
7 where she did pee her bed. I don't know whether it was  
8 once or twice, but she did have an incident where she  
9 peed her bed.

10 Q Did that ever happen before the incident that  
11 you filed this lawsuit about?

12 A I don't remember, but it could be.

13 Q Have you described to us, over the course of  
14 your testimony today and yesterday, all of the issues  
15 that you have seen Jane Doe experience which you relate  
16 to the accident in terms of behavior changes?

17 MR. MACDONALD: Objection, form.

18 A They're not all of them because they told me  
19 that I have to be faster when it comes to my answers.

20 BY MR. YOUNT:

21 Q Okay. Describe for me then all of the issues  
22 that you've seen that Jane Doe has had since this  
23 incident which you relate to the incident.

24 A I really don't have enough time to tell you  
25 everything in just three minutes.

1           What I can say is that my little girl has been  
2 telling the same thing that happened to her both to  
3 family members, she's been bringing it up with family  
4 members, with family friends. She keeps bringing it up  
5 and she still hasn't forgotten about it, even to this  
6 day, after some -- much time had passed.

7           Whenever the word bullying is mentioned, she  
8 mentions this boy. And she mentions this boy not only  
9 by his first name. She mentions both his first name and  
10 his last name.

11          My girl has -- still, to this day, whenever we  
12 look at our family tree, whenever we look at our  
13 pictures, whenever she sees herself when she -- because  
14 we have pictures of her ever since she was very small,  
15 we have pictures of her from pre-K, from kinder, and  
16 whenever she looks at the photos, she signals  
17 specifically towards that boy. In addition to her  
18 cousin, it is the only other name that she can remember  
19 from that class.

20          Whenever she is -- she is asked whenever  
21 anything -- she's been asking me about private parts,  
22 and whenever she asks me about private parts, she refers  
23 to that incident, she mentions that incident again.

24          Now, she's been talking about it again and  
25 again. She's mentioned it several times, even after

1 this incident occurred already a long time ago, and she  
2 still hasn't forgotten about it.

3           And I also forgot to mention that she also  
4 recently told me that she wanted to go back to that same  
5 school once that boy left that school, and that happened  
6 just a short while ago. That wasn't long ago. That was  
7 recent.

8           She still -- even after time has passed,  
9 she -- people still come to me sometimes telling me that  
10 my little girl had told them about what happened to her  
11 in kinder, and they come to me, asking me questions  
12 about it.

13           Also, she had the nightmares, she wetted her  
14 sheets and she still cries. And when she cried, it was  
15 not only crying about being changed over to a different  
16 school. She still cries when remembering this same  
17 incident, the same story, the same subject. And the  
18 nightmares and the wetting her sheets was corroborated  
19 by the psychiatrist.

20           She hasn't stopped remembering.

21           Now, her grades have barely began improving,  
22 because when she first began at school again after this  
23 happened, her grades, when it came to reading and when  
24 it came to math, weren't the best -- weren't her best.

25           And the teacher has mentioned things like

1 she's a quiet girl, she's a shy girl, she's a mature  
2 girl.

3 And we also have to be listening to what she  
4 tells me from her memories of this, what she tells both  
5 me, what she's been telling her father again.

6 And a five-year-old shouldn't have gone  
7 through something like this. It has been very difficult  
8 for both a little girl such as herself at four, her  
9 parents to go through something like this.

10 Q [REDACTED] is there anything else significant  
11 that you'd like to tell us about how this incident --  
12 alleged incident has impacted your daughter?

13 A Right now, as I already said, I really can't.  
14 As I said, I have -- I'm already late for the open  
15 house, and I have to go right now because I really don't  
16 want to miss the open house at the new school. I can't.

17 Q I have one more question for you. During the  
18 course of today's deposition have you texted anybody at  
19 all?

20 A Throughout the course of this session? Yes.  
21 It has been during the breaks. During the breaks. Only  
22 breaks.

23 Q You've texted a representative?

24 A Not my attorney, no.

25 Q Have you texted anybody affiliated with your

1 attorney's office during the course of this deposition?

2 A To tell them that I began -- that it began at  
3 3:00. Before.

4 Q This is a one-word answer. After 3:00 today  
5 and before now, have you texted anybody with your  
6 attorney's office?

7 A No.

8 MR. YOUNT: Okay. Thank you. I have no more  
9 questions.

10 MR. MACDONALD: No questions. She'll read.

11 COURT REPORTER: Are you ordering?

12 MS. WHITE: No, we're not ordering.

13 MR. YOUNT: Yes, we're ordering.

14 COURT REPORTER: The original?

15 MR. YOUNT: Sure.

16 COURT REPORTER: Do you want a copy, Kyle?

17 MR. MACDONALD: We're okay for now.

18 MR. YOUNT: How quickly can we get the depo  
19 transcript?

20 COURT REPORTER: It's up to you.

21 MR. YOUNT: Get it to me in a week.

22 (The deposition was concluded at 6:18 p.m.)

1 CERTIFICATE OF OATH  
2

3 STATE OF FLORIDA )  
4 COUNTY OF VOLUSIA )

5 I, the undersigned authority, certify that  
CARMEN QUINTANA personally appeared before me via  
videoconference and was duly sworn August 28, 2024.

6 WITNESS my hand and official seal this 29th day  
7 of August 2024.

8 *Christie Sammaro*  
9 Christie Sammaro  
10 Notary Public - State of Florida  
My Commission No.: HH 027526  
11 Expires: August 31, 2024  
12  
13  
14  
15

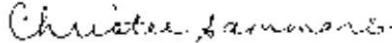
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1 CERTIFICATE OF OATH  
2

3 STATE OF FLORIDA )  
4 COUNTY OF VOLUSIA )

5 I, the undersigned authority, certify that  
6 [REDACTED] personally appeared before me via  
7 videoconference and was duly sworn August 28, 2024.

8 WITNESS my hand and official seal this 29th day  
9 of August 2024.

10   
Christie Sammaro  
Notary Public - State of Florida  
My Commission No.: HH 027526  
Expires: August 31, 2024

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## **REPORTER'S DEPOSITION CERTIFICATE**

### 3 STATE OF FLORIDA )

#### 4 COUNTY OF VOLUSIA )

5

6 I, CHRISTIE SAMMARO, RMR, CRR, certify that I

7 was authorized to and did stenographically report

8 the deposition of [REDACTED]; that a review of the

<sup>9</sup> transcript was requested: that the transcript is a

10 true and complete record of my stenographic notes.

11 I further certify that I am not a relative.

12 employee, attorney, or counsel of any of the

13 parties, nor am I a relative or employee of any of

14 the parties' attorneys or counsel connected

15 action nor am I financially interested in the

16 action

17 Dated this 29th day of August 2024.

18

10

### *Christee-farnonii-*

CHRISTIE SAMMARO RMR CRR

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# ESQUIRE DEPOSITION SOLUTIONS